

### **Remarks/Arguments**

Reconsideration of the issues raised in the Office Action dated January 29, 2010 is respectfully requested in light of the remarks presented herewith. The issues are addressed below in the order in which they are presented in the Office Action. Applicant submits that the claims are patentable over the prior art for at least the reasons set forth herein.

### **Status of the Claims**

Claims 1-66 are presented for examination. No claims have been amended, canceled, or added.

### **Claim Rejections – 35 U.S.C. 102**

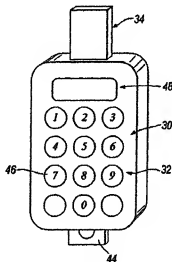
Claims 1-2, 7-8, 16-18, 23-29, 33, 35, 38-39, 43, 48-54, 58, 60, and 63-64 have been rejected under 35 U.S.C. 102(e) as being anticipated by Cronic et al. (U.S. Patent No. 7,032,240) ("Cronic"). This rejection is respectfully traversed.

#### **Claim 1**

Independent claim 1 recites a device for connection to a data processing apparatus, the device including, *inter alia*: first coupling means for operative coupling to authentication storage means storing predetermined information relating to authentication of a transaction with the data processing apparatus; second coupling means for operative coupling to the data processing apparatus, the device when operatively coupled to the data processing apparatus being responsive to an authentication process carried out via a communications link for authenticating the transaction, the authentication process involving use of the predetermined information; security data entry means for obtaining security data independently of the data processing apparatus; and means for storing the security data temporarily. (emphasis added).

In an exemplary embodiment shown in FIG. 4 and described in paragraphs [0067] through [0072] of the publication of the instant application (U.S. Patent Application Publication No. US 2007/0226805 A1) (the '805 publication), structure corresponding to the "security data entry means for obtaining security data

independently of the data processing apparatus" is disclosed as a dongle 30 with a means such as push buttons 46 for entering a PIN number, a biometric reader for reading a fingerprint or other biometric identifier, or other security sensor means. For convenience, FIG. 4 of the '805 publication is reproduced below.



**Fig.4**

Of note, the "security data entry means" is a separate and distinct limitation from the "coupling means for operative coupling to authentication storage means storing predetermined information relating to authentication of a transaction with the data processing apparatus" and the "second coupling means for operative coupling to the data processing apparatus," as recited in independent claim 1.

It is alleged in the Office Action that Cronic discloses "... first coupling means for operative coupling to authentication storage means (physical direct information authority 160) ..." and "... security data entry means for obtaining security data independently of the data processing apparatus (particularly true for the direct information authority 160, which communicates directly with the portable authorization device 140; Column 6, lines 47-50) ...." (Office Action, pages 3-4.)

The above allegation of the Office Action is respectfully traversed because the "physical direct information authority 160" of Cronic cannot be read as both the "authentication storage means" and as the "security data entry means" recited in the

claim. Cronic does not contain a teaching or even a suggestion of a "security data entry means" as recited in independent claim 1.

As discussed above, the "security data entry means" is a separate and distinct element from the "authentication storage means," and the '805 publication discloses corresponding structure as push buttons for entering a PIN number, a biometric reader, or other security sensor means. Cronic, on the other hand, does not disclose any such security data entry means, and the lack of this feature reflects that Cronic teaches away from the present claims. The passage specifically cited in the Office Action, namely column 6, lines 47-50, conveys only the fact that the direct information authority 160 (i.e., the SIM) communicates "directly" with the portable authorization device 140 (i.e., the device for connection to a data processing apparatus) rather than indirectly through an intermediary device. It is respectfully submitted that this configuration is not equivalent or even suggestive of the "security data entry means" (i.e., an additional means that allows security data to be entered independently of the data processing apparatus (i.e., the host device 110)).

Accordingly, reconsideration and withdrawal of the rejection of independent claim 1 is respectfully requested.

Claims 2, 7, 18, 23,-29, 33, 35, and 38-39

Claims 2, 7, 18, 23,-29, 33, 35, and 38-39 depend from independent claim 1 and are, therefore, allowable over Cronic for at least the reasons provided in support of the allowability of independent claim 1 over Cronic.

Claim 8

Independent claim 8 recites a device for connection to a data processing apparatus, the device including: first coupling means for operative coupling to authentication storage means storing predetermined information relating to authentication of a transaction with the data processing apparatus; and second coupling means for operative coupling to the data processing apparatus, the device when operatively coupled to the data processing apparatus being responsive to an authentication process carried out via a communications link for authenticating the transaction, the authentication process involving use of the predetermined information;

and configuration means for selectively rendering the second coupling means available for coupling to the data processing apparatus. (emphasis added).

In exemplary embodiments shown in FIGS. 8A-8D, 9A-9D, and 11A-11C, and described in passages of the Specification related thereto, structure corresponding to the “configuration means for selectively rendering the second coupling means available for coupling to the data processing apparatus” is disclosed. It is noted that in each of such exemplary embodiments, physical structure is described that “selectively renders the second coupling means available [or unavailable] for coupling to the data processing apparatus.” For convenience, FIGS. 8A-8D, 9A-9D, and 11A-11C are reproduced below.

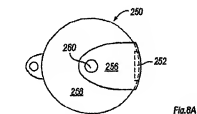


Fig. 8A

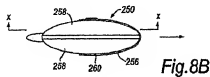


Fig. 8B

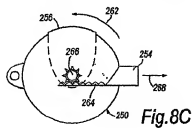


Fig. 8C

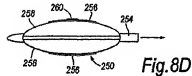


Fig. 8D

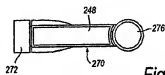


Fig. 9A

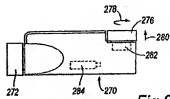


Fig. 9B

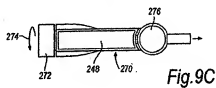


Fig. 9C

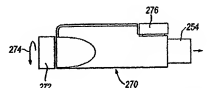
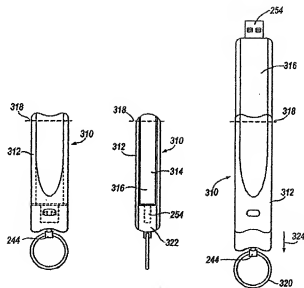


Fig. 9D



**Fig. 11A**

**Fig. 11B**

**Fig. 11C**

It is alleged in the Office Action that Cnonce discloses "... and configuration means for selectively rendering the second coupling means available for coupling to the data processing apparatus (Column 7, lines 51-67; Column 8, lines 1-2; Column 8, lines 22-28)."

This allegation is also respectfully traversed. The cited passages merely disclose "dynamic key selectors" used to generate "secret keys," and "connecting the portable authorization device 140 to the host system 110." Neither the "dynamic key selectors" nor the mere act of "connecting the portable authorization device 140 to the host system 110" can be equated in any manner to the "configuration means" recited in independent claim 8 because the structure recited in such passages does not "render the second coupling means [physically] available [or unavailable] for coupling to the data processing apparatus," as recited in independent claim 8.

Accordingly, reconsideration and withdrawal of the rejection of independent claim 8 is respectfully requested.

Claims 16-17, 43, 48-54, 58, 60, and 63-64

Claims 16-17, 43, 48-54, 58, 60, and 63-64 depend from independent claim 8 and are, therefore, allowable over Cronce for at least the reasons provided in support of the allowability of independent claim 8 over Cronce.

**Claim Rejections – 35 U.S.C. 103**

Claims 21, 30-32, 34, 36, 40-42, 46, 55-57, 59, 61, and 65-66

Claims 21, 30-32, 34, 36, 40-42, 46, 55-57, 59, 61, and 65-66 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Cronce in view of Dosch (U.S. Patent Application Publication No. US 2002/0069364 A1) ("Dosch"). This rejection is also respectfully traversed.

Claims 21, 30-32, 34, 36, and 40-42 depend from independent claim 1.

Claims 46, 55-57, 59, 61, and 65-66 depend from independent claim 8.

As indicated above, Cronce does not disclose or suggest the elements of the present claims and teaches away from the present invention. It is respectfully submitted that Dosch does not add anything that would remedy the aforementioned deficiencies of Cronce. Accordingly, it is respectfully submitted that claims 21, 30-32, 34, 36, 40-42, 46, 55-57, 59, 61, and 65-66 are allowable over the combination of Cronce and Dosch for at least the reasons provided in support of the allowability of independent claims 1 and 8 over Cronce.

Claims 3-6

Claims 3-6 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Cronce in view of Zhou et al. (U.S. Patent No. 6,559,620 B2) ("Zhou"). This rejection is also respectfully traversed.

Claims 3-6 depend from independent claim 1.

It is respectfully submitted that Zhou does not add anything that would remedy the aforementioned deficiencies of Dosch. Accordingly, it is respectfully submitted that claims 3-6 are allowable over the combination of Dosch and Zhou for at least the reasons provided in support of the allowability of independent claim 1 over Dosch.

Claims 9-15

Claims 9-15 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Cronce in view of Wang (U.S. Patent No. 5,813,421) ("Wang"). This rejection is also respectfully traversed.

Claims 9-15 depend from independent claim 8.

It is respectfully submitted that Wang also does not add anything that would remedy the aforementioned deficiencies of Cronce. Accordingly, it is respectfully submitted that claims 9-15 are allowable over the combination of Cronce and Wang for at least the reasons provided in support of the allowability of independent claim 8 over Cronce.

Claims 19-20, 22, 37, 44-45, and 47

Claims 19-20, 22, 37, 44-45, and 47 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Cronce in view of Gregory et al. (U.S. Patent No. 7,26,849 B1) ("Gregory"). This rejection is also respectfully traversed.

Claims 19-20, 22, and 37 depend from independent claim 1.

Claims 44-45 and 47 depend from independent claim 8.

It is respectfully submitted that Gregory also does not add anything that would remedy the aforementioned deficiencies of Cronce. Accordingly, it is respectfully submitted that claims 19-20, 22, 37, 44-45, and 47 are allowable over the combination of Cronce and Gregory for at least the reasons provided in support of the allowability of independent claims 1 and 8 over Cronce.

In light of the above Remarks, favorable reconsideration of this application and issuance of an allowance is respectfully requested. Should there be any outstanding issues requiring discussion that would expedite the prosecution and allowance of the above-captioned application, the Examiner is invited to contact the Applicant's undersigned representative at the phone number indicated below.

Respectfully submitted,

Date: July 29, 2010

Signed By  
Attorney of Record

/jeffrey a. haeberlin, reg. no. 40,630/

Name: Jeffrey A. Haeberlin  
Registration No.: 40,630

**STITES & HARBISON PLLC** ♦ 1199 North Fairfax St. ♦ Suite 900 ♦ Alexandria, VA 22314  
TEL: 703-739-4900 ♦ FAX: 703-739-9577 ♦ CUSTOMER NO. 881